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Attorney for Defendants

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOSE ESCOBEDO,

Plaintiff,

V.

1313 RESTAURANT GROUP, LLC, et al.,

Defendants.

CASE NO. 1:23-cv-01425-JLT-BAM
STIPULATION AND PROPOSED
ORDER FOR EXTENSION OF TIME
FOR 1313 RESTAURANT GROUP,
LLC; DAVID L. RICCI, TRUSTEE;
KRYSTAL RICCI, TRUSTEE and JOHN
CONSENTINO, TRUSTEE TO
RESPOND TO COMPLAINT

Plaintiff JOSE ESCOBEDO ("Plaintiff") and 1313 RESTAURANT GROUP, LLC;

DAVID L. RICCI, TRUSTEE; KRYSTAL RICCI, TRUSTEE and JOHN CONSENTINO

TRUSTEE (“Defendants”), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Rule 144(a), hereby stipulate that Defendants’ time to answer or otherwise respond to Plaintiff’s complaint is extended to January 24, 2024. This extension of time is these Defendants’ second request for an extension, and so court approval is required.

The scheduling conference is set for January 10, 2024, however, in light of the requested extension of time to respond, it is also requested that the joint scheduling conference be continued to a date convenient to the court after January 24, 2024.

The parties believe that the extension of time to respond until January 24, 2024 will facilitate a settlement of the case before a conference with the court is required, and thus save valuable court time and resources.

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1 Plaintiff and Defendants continue to be in settlement negotiations at this time, but time is needed to
2 conclude the terms of a settlement.

3

4 NOW THEREFORE, Defendants through their attorney, and Plaintiff through his attorneys,
5 hereby stipulate and agree that the time for Defendants for 1313 RESTAURANT GROUP, LLC;
6 DAVID L. RICCI, TRUSTEE; KRYSTAL RICCI, TRUSTEE and JOHN CONSENTINO,
7 TRUSTEE to answer or otherwise respond to the Complaint shall be extended up to and including
8 January 24, 2024, pending court approval, and that the scheduling conference be continued to a
9 date after January 24, 2024 convenient to the court.

10 IT IS SO STIPULATED.

11 MOORE LAW FIRM, P.C.

12 Dated: December 19, 2023

13 /s/Tanya E. Moore

Tanya E. Moore, Attorney for Plaintiff Jose Escobedo

14 Dated: December 19, 2023

15 /s/Bruce A. Neilson

Bruce A. Neilson, Attorney for 1313 Restaurant Group, LLC;
David L. Ricci, Trustee; Krystal Ricci, Trustee and John
Consentino, Trustee

16
17 ORDER

18 Pursuant to the parties' stipulation, and good cause appearing, Defendants 1313
19 RESTAURANT GROUP, LLC; DAVID L. RICCI, TRUSTEE; KRYSTAL RICCI, TRUSTEE
20 and JOHN CONSENTINO shall have until January 24, 2024 to answer or otherwise respond to the
21 Complaint, and that the scheduling conference in this matter is hereby continued to **February 22,**
22 **2024, at 9:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A. McAuliffe.**

23 The parties shall file a Joint Scheduling Report at least one full week prior to the conference.

24 IT IS SO ORDERED.

25 Dated: December 21, 2023

26 /s/ Barbara A. McAuliffe

27 UNITED STATES MAGISTRATE JUDGE